



February 9, 2017

Via E-Mail (Dreyfus.Bethany@epa.gov) and Regular Mail

Bethany A. Dreyfus, Esq.
Assistant Regional Counsel
U.S. Environmental Protection Agency
75 Hawthorne Street
San Francisco CA 94105

Re: Freedom of Information Act Request Submitted January 25, 2017

Dear Bethany:

Thank you for following up regarding the Freedom of Information Act (FOIA) Request submitted by my office on January 25, 2017. We have agreed to make certain modifications to the FOIA Request, and the modified FOIA Request is set forth below.

I understand that, as to the original request, EPA estimated the amount of \$4,700 to search and collect records responsive to the FOIA Request, and asks that this amount be paid in advance. Please provide me with a revised cost estimate as I assume it will decrease as a result of the modifications below.

Lastly, this confirms that we prefer to receive responsive records on a rolling basis, rather than in a single production. Please forward the records to the attention of Deborah Kelly, Farella Braun + Martel LLP, 235 Montgomery Street, 18th Floor, San Francisco, CA 94104, or electronically by e-mail to Deborah Kelly at dkelly@fbm.com.

Please contact me if you have any questions or need additional information.

Modified Freedom of Information Act Request

- 1) Any and all documentation of the City of Mountain View sewer system (e.g., as-built drawings, maps, reports, maintenance and surcharge records, inspections, hydraulic reports or models, pump station reports, discharge reports etc) that the U.S. Environmental Protection Agency, Region IX (including its contractors, such as Toerek Associates Inc.) has obtained for the portion of the City of Mountain View sewer system that is within the following geographic area:

- a. geographic area bounded by Highway 85 (to the west), Bayshore 101 Fwy (to the north), Sunnyvale Municipal Golf Course – North Bernardino Ave – San Bernardino Ave (to the east).
- 2) Any and all communications between the U.S. Environmental Protection Agency, Region IX (including its contractors, such as Toerek Associates Inc.) and the City of Mountain View on the subjects below. This request is limited to communications that occurred during the time periods of either (i) prior to December 31, 1979, or (ii) on or after January 1, 2010.
 - a. alleged historic discharges of hazardous substances into the City of Mountain View sewer system;
 - b. alleged releases of hazardous substances from the City of Mountain View sewer system into soil or groundwater; and/or
 - c. the integrity of the sewer system and/or any replacement or repairs intended to prevent sewer leaks.
- 3) [WITHDRAWN]
- 4) Any and all communications or documents between the U.S. Environmental Protection Agency, Region IX (including its contractors, such as Toerek Associates Inc.) and the Palo Alto Regional Water Quality Control Plant regarding the discharge of hazardous substances into the Mountain View sewer system. This request is limited to communications that occurred, or documents generated, during the time periods of either (i) prior to December 31, 1979, or (ii) on or after January 1, 2010.
- 5) Any and all documentation of the 2011 and 2013 groundwater sampling activities by the U.S. Environmental Protection Agency, Region IX (including its contractors) in the areas depicted in the two figures attached to the original request submitted January 25, 2017.
- 6) Any and all documentation of any soil and soil gas monitoring activities by the U.S. Environmental Protection Agency, Region IX (including its contractors, such as Toerek Associates Inc.) in the area bounded by Fairchild Drive (to the north), N Whisman Road (to the east), E Middlefield road (to the south), Moffett Blvd and Highway 85 (to the West).
- 7) Any and all sewer line videos, and documentation relating to such videos, for the portion of the City of Mountain View sewer system that is within the following geographic area:
 - a. geographic area bounded by Highway 85 (to the west), Bayshore 101 Fwy (to the north), Sunnyvale Municipal Golf Course – North Bernardino Ave – San Bernardino Ave (to the east).

Bethany A. Dreyfus, Esq.
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Very truly yours,

A handwritten signature in black ink, appearing to read 'J. Colopy', with a long horizontal flourish extending to the right.

James H. Colopy

cc: Tom Boer
Deborah Kelly
(via Email)